

GOVERNMENT OF TELANGANA
ABSTRACT

Public Servants – Panchayat Raj and Rural Development Department – Allegation of negligence in issuing orders in G.O.Ms.No. 55, Panchayat Raj and Rural Development (Pts.III) Department, dated:08.07.2015 delegating the powers to the District Collectors to cancel or suspend the Resolutions passed by the Gram Panchayats under sub-section (1) of Section (246) of Telangana Panchayat Raj Act, 2014, without following the Business Rules against Sri K.P. Harish Kumar, Assistant Secretary to Government, Panchayat Raj and Rural Development Department, Telangana Secretariat, Hyderabad – Disciplinary proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of charge – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (OP.I) DEPARTMENT

G.O.RT.No. 486

Dated: 31.07.2015

ORDER:

It is proposed to hold an enquiry against Sri K.P. Harish Kumar, Assistant Secretary to Government, Panchayat Raj and Rural Development Department, Telangana Secretariat, Hyderabad, in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charge is proposed to be sustained are also enclosed (Annexure-II and III).

3. Sri K.P. Harish Kumar, Assistant Secretary to Government, Panchayat Raj and Rural Development Department, Telangana Secretariat, Hyderabad, is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

4. Sri K.P. Harish Kumar, Assistant Secretary to Government, Panchayat Raj and Rural Development Department, Telangana Secretariat, Hyderabad, is informed that an enquiry will be held only, if the article of charge is not admitted. He should, therefore, specifically admit or deny the article of charge.

5. Sri K.P. Harish Kumar, Assistant Secretary to Government, Panchayat Raj and Rural Development Department, Telangana Secretariat, Hyderabad, is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri K.P. Harish Kumar, Assistant Secretary to Government, Panchayat Raj and Rural Development Department, Telangana Secretariat, Hyderabad is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri K.P. Harish Kumar, Assistant Secretary to Government, Panchayat Raj and Rural Development Department, Telangana Secretariat, Hyderabad, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**J.RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT**

To
Sri K.P. Harish Kumar, Assistant Secretary to Government,
Panchayat Raj and Rural Development Department,
Telangana Secretariat, Hyderabad (w.e.)
SF/SC

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE - I

(Annexure to G.O.Rt.No.486 , PR&RD (OP.I) Department, dated:31.07.2015)

STATEMENT OF ARTICLE OF CHARGE AGAINST SRI K.P. HARISH KUMAR, ASSISTANT SECRETARY TO GOVERNMENT, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, TELANGANA SECRETARIAT, HYDERABAD

CHARGE:

That Sri K.P. Harish Kumar, Assistant Secretary to Government, Panchayat Raj and Rural Development Department, Telangana Secretariat, Hyderabad has failed to instruct the Section Officer and Assistant Section Officer of PR&RD (Pts.III) Department to follow the Business Rules in issuing orders in G.O.Ms.No. 55, PR&RD (Pts.III) Department, dt.8.7.2015 delegating the powers to the District Collectors to cancel or suspend the Resolutions passed by the Gram Panchayats under sub-section (1) of Section (246) of Telangana Panchayat Raj Act, 2014. Thus he failed to follow the functions and duties of Assistant Secretary to Government as per the Secretariat Office Manual.

BASIS:

The Director, Panchayat Raj & Rural Employment, Telangana State, Hyderabad in her Lr. No. 608/CPR&RE/D1/2014, dt.14.05.2015 has sent a proposal for issue of a notification delegating the powers to cancel or suspend resolutions in respect of Gram Panchayats only conferred under Section 246(1) of the Andhra Pradesh Panchayat Raj Act, 1994 to the District Collectors in exercise of the powers conferred under 260 of APPR Act, 1994 in order to stream line the single window issues for setting up of industries in Telangana State as was done in Government of Andhra Pradesh.

The proposal has been processed in file bearing C.No. 4910/Pts.III/A2/2015 and the same was sent to Law Dept. for their advice in the matter. After receipt of the file from the Law Department with their advice orders were issued in G.O.Ms.No. 55, PR&RD (Pts.III) Department, dt.8.7.2015 delegating the powers to the District Collectors to cancel or suspend the Resolutions passed by the Gram Panchayats under sub-section (1) of Section (246) of Telangana Panchayat Raj Act, 2014, without following the Business Rules.

From this, it is evident that, he has shown Gross Negligence in discharging his Legitimate Duties which has put the Department in embarrassing situation therefore, his action is in violation of Rule (3) of A.P. Civil Services (Conduct) Rules, 1964.

Hence, the charge.

**J.RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT**

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE – II

(Annexure to G.O.Rt.No.486, PR&RD (OP.I) Department, dated: 31.07.2015)

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE IS PROPOSED TO BE SUSTAINED AGAINST SRI K.P. HARISH KUMAR, ASSISTANT SECRETARY TO GOVERNMENT, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, TELANGANA SECRETARIAT, HYDERABAD.

File C.No. 4910/Pts.III/A2/2015 of PR&RD Department.

**J.RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT**

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE – III

(Annexure to G.O.Rt.No.486 , PR&RD (OP.I) Department, dated:31.07.2015)

LIST OF THE WITNESSES BY WHOM THE ARTICLE OF CHARGE IS PROPOSED TO BE SUSTAINED AGAINST SRI K.P. HARISH KUMAR, ASSISTANT SECRETARY TO GOVERNMENT, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, TELANGANA SECRETARIAT, HYDERABAD.

-Nil-

**J.RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT**

//FORWARDED BY ORDER//

SECTION OFFICER